

**RULES
OF
THE BOARD OF REGENTS
OF THE
STATE UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF TENNESSEE**

INSTITUTIONAL STUDENT DISCIPLINARY RULES

**CHAPTER 0240-3-11
JACKSON STATE COMMUNITY COLLEGE
STUDENT DISCIPLINARY RULES**

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0240-3-11-.01 INSTITUTION POLICY STATEMENT.

- (1) College students are citizens of the State, local and national governments, and of the academic community, and are, therefore, expected to conduct themselves as law-abiding members of each community at all times. Admission to an institution of higher education carries with it special privileges and imposes special responsibilities apart from those rights and duties enjoyed by non-students. In recognition of the special relationship that exists between the institution and the academic community which it seeks to serve, the State Board of Regents has authorized the President of the College to take such action as may be necessary to maintain campus conditions and preserve the integrity of the institution and its educational environment.
- (2) Pursuant to this authorization, the College has developed the following regulations which are intended to govern student conduct on the campus. In addition, students are subject to all national, state and local laws and ordinances. If a student's violation of such laws or ordinances also adversely affects the institution's pursuit of its educational objectives, the institution may enforce its own regulations regardless of any proceedings instituted by other authorities. Conversely, violation of any section of these Regulations may subject a student to disciplinary measures by the institution whether or not such conduct is simultaneously violative of state, local or national laws.

Authority: T.C.A. §49-8-203. **Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983.

0240-3-11-.02 DISCIPLINARY OFFENSES.

- (1) Generally, through appropriate due process procedures, institutional disciplinary measures shall be imposed for conduct which adversely affects the institution's pursuit of its educational objectives, which violates or shows a disregard for the rights of other members of the academic community, or which endangers property or persons on institution or institution-controlled property.
- (2) Individual or organizational misconduct which is subject to disciplinary sanction shall include but not be limited to the following examples:
 - (a) Conduct dangerous to others. Any conduct which constitutes a serious danger to any person's health, safety or personal well-being, including any physical abuse or immediate threat of abuse;
 - (b) Hazing. Hazing means any intentional or reckless act in Tennessee on or off the property of any higher education institution by one (1) student acting alone or with others which is directed

(Rule 0240-3-11-.02, continued)

against any other student, that endangers the mental or physical health or safety of that student, or which induces or coerces a student to endanger such student's mental or physical health or safety. Hazing does not include customary athletic events or similar contests or competitions, and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization.

- (c) Disorderly conduct. Any individual or group behavior which is abusive, obscene, lewd, indecent, violent, excessively noisy, disorderly, or which unreasonably disturbs other groups or individuals;
- (d) Obstruction of or interference with institutional activities or facilities. Any intentional interference with or obstruction of any institutional activity, program, event or facilities, including the following:
 - 1. Any unauthorized occupancy of institution or institutionally controlled facilities or blockage of access to or from such facilities.
 - 2. Interference with the right of any institution member or other authorized person to gain access to any institution or institutionally controlled activity, program, event or facilities.
 - 3. Any obstruction or delay of a campus security officer, fireman, or any institution official in the performance of his/her duty.
- (e) Misuse of or damage to property. Any act of misuse, vandalism, malicious or unwarranted damage or destruction, defacing, disfiguring or unauthorized use of property belonging to the institution including, but not limited to, fire alarms, fire equipment, elevators, telephones, institution keys, library materials and/or safety devices; and any such act against a member of the institution community or a guest of the institution;
- (f) Theft, misappropriation, or unauthorized sale. Any act of theft, misappropriation, or unauthorized possession or sale of institution property or any such act against a member of the institution community or a guest of the institution;
- (g) Misuse of documents or identifications cards. Any forgery, alteration of or unauthorized use of institution documents, forms, records or identification cards, including the giving of any false information, or withholding of necessary information, in connection with a student's admission, enrollment or status in the institution;
- (h) Firearms and other dangerous weapons. Any possession of or use of firearms or dangerous weapons of any kind;
- (i) Explosives, fireworks, and flammable materials. The unauthorized possession, ignition or detonation of any object or article which would cause damage by fire other means to persons or property or possession of any substance which could be considered to be and used as fireworks;
- (j) Alcoholic beverages. The use and/or possession of alcoholic beverages on college owned or controlled property;
- (k) Drugs. The unlawful possession or use of any drug or controlled substance (including any stimulant, depressant, narcotic, hallucinogenic drug or substance, or marijuana), or sale or distribution of any such drug or controlled substance;
- (l) Gambling. Gambling in any form;

(Rule 0240-3-11-.02, continued)

- (m) Financial irresponsibility. Failure to meet financial responsibilities to the institution promptly including, but not limited to, knowingly passing a worthless check or money order in payment to the institution or to a member of the institution community acting in an official capacity;
 - (n) Unacceptable conduct in hearings. Any conduct at an institutional hearing involving contemptuous, disrespectful, or disorderly behavior, or the giving of false testimony or other evidence at any hearing;
 - (o) Failure to cooperate with institutional officials. Failure to comply with directions of institutional officials acting in the performance of their duties;
 - (p) Violation of general rules and regulations. Any violation of the general rules and regulations of the institution as published in an official institutional publication, including the intentional failure to perform any required action or the intentional performance of any prohibited action;
 - (q) Attempts and aiding and abetting the commission of offenses. Any attempt to commit any of the foregoing offenses, or the aiding and abetting of the commission of any of the foregoing offenses (an “attempt” to commit an offense is defined as the intention to commit the offense coupled with the taking of some action toward its commission);
 - (r) Violations of state or federal laws. Any violation of state or federal laws or regulations proscribing conduct or establishing offenses, which laws and regulations are incorporated herein by reference.
- (3) Disciplinary action may be taken against a student for violations of the foregoing Regulations which occur on institutionally owned, leased, or otherwise controlled property, or which occur off-campus when the conduct impairs, interferes with or obstructs any institutional activity or the missions, processes and functions of the institution. In addition, disciplinary action may be taken on the basis of any conduct, on or off-campus, which poses a substantial threat to persons or property within the institutional community.
- (4) For the purposes of these Regulations a “student” shall mean any person who is registered for study at the College for any academic period. A person shall be considered a student during any period which follows the end of an academic period which the student has completed until the last day for registration for the next succeeding regular academic period, and during any period while the student is under suspension from the institution.

Authority: T.C.A. §§49-7-123(a)(1) and 49-8-203. **Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. Amendment filed July 3, 1996; effective November 28, 1996. Amendment filed November 20, 1996; effective March 28, 1997. Amendment filed November 26, 1997; effective March 30, 1998. Amendment filed February 18, 1999; effective June 28, 1999.

0240-3-11-.03 ACADEMIC AND CLASSROOM MISCONDUCT.

- (1) The instructor has the primary responsibility for control over classroom behavior and maintenance of academic integrity, and can order the temporary removal or exclusion from the classroom of any student engaged in disruptive conduct or conduct violative of the general rules and regulations of the institution. Extended or permanent exclusion from the classroom or further disciplinary action can be effected only through appropriate procedures of the institution.
- (2) Plagiarism, cheating, and other forms of academic dishonesty are prohibited. Students guilty of academic misconduct, either directly or indirectly through participation or assistance, are immediately

(Rule 0240-3-11-.03, continued)

responsible to the instructor of the class. In addition to other possible disciplinary sanctions which may be imposed through the regular institutional procedures as a result of academic misconduct, the instructor has the authority to assign an F or a zero for the exercise or examination, or to assign an F in the course.

- (3) If the student believes that he or she has been erroneously accused of academic misconduct, and if his or her final grade has been lowered as a result, the student may appeal the case through the appropriate institutional procedures.

Authority: T.C.A. §49-8-203. **Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983.

0240-3-11-.04 DISCIPLINARY SANCTIONS.

- (1) Upon determination that a student or organization has violated any of the rules, regulations or disciplinary offenses set forth in these Regulations, the following disciplinary sanctions may be imposed, either singly or in combination, by the appropriate institution officials.
- (2) Definition of Sanctions.
 - (a) Restitution. A student who has committed an offense against property may be required to reimburse the institution or other owner for damage to or misappropriation of such property. Any such payment in restitution shall be limited to actual cost of repair or replacement.
 - (b) Warning. The appropriate institutional official may notify the student that continuation or repetition of specified conduct may be cause for other disciplinary action.
 - (c) Reprimand. A written reprimand, or censure, may be given any student or organization whose conduct violates any part of these Regulations. Such a reprimand does not restrict the student in any way, but does have important consequences. It signifies to the student that he or she is in effect being given another chance to conduct himself or herself as a proper member of the institution community, but that any further violation may result in more serious penalties.
 - (d) Restriction. A restriction upon a student's or organization's privileges for a period of time may be imposed. This restriction may include, for example, denial of the right to represent the institution in any way, denial of use of facilities, parking privileges, participation in extracurricular activities or restriction of organizational privileges.
 - (e) Probation. Continued enrollment of a student on probation may be conditioned upon adherence to these Regulations. Any student placed on probation will be notified of such in writing and will also be notified of the terms and length of the probation. Probation may include restrictions upon the extracurricular activities of a student. Any conduct in violation of these Regulations while on probationary status may result in the imposition of a more serious disciplinary sanction.
 - (f) Suspension. If a student is suspended, he or she is separated from the institution for a stated period of time with conditions of readmission stated in the notice of suspension.
 - (g) Expulsion. Expulsion entails a permanent separation from the institution. The imposition of this sanction is a permanent bar to the student's readmission to the institution.
 - (h) Interim or summary suspension. Though as a general rule, the status of a student accused of violations of these Regulations should not be altered until a final determination has been made in regard to the charges against him, summary suspension may be imposed upon a finding by the

(Rule 0240-3-11-.04, continued)

appropriate institutional official that the continued presence of the accused on campus constitutes an immediate threat to the physical safety and well-being of the accused, or of any other member of the institution community or its guests, destruction of property, or substantial disruption of classroom or other campus activities. In any case of immediate suspension, the student shall be given an opportunity at the time of the decision or immediately thereafter to contest the suspension, and if there are disputed issues of fact or cause and effect, the student shall be provided a hearing on the suspension as soon as possible.

- (3) The President of the College is authorized, in his or her discretion, to subsequently convert any sanction imposed to a lesser sanction, or to rescind any previous sanction, in appropriate cases.

Authority: T.C.A. §49-8-203. **Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983.

0240-3-11-.05 DISCIPLINARY PROCEDURES.

- (1) Tennessee Uniform Administrative Procedures Act. All cases which may result in (i) suspension or expulsion of a student from the institution for disciplinary reasons, (ii) assignment of a grade which results in the grade of "F" in a course for academic misconduct, or (iii) revocation of registration of a student organization during the term of the registration are subject to the contested case provisions of the Tennessee Uniform Administrative Procedures Act and shall be processed in accordance with the uniform contested case procedures adopted by the Board of Regents unless the student waives those procedures in writing and elects to have his/her case disposed of in accordance with College procedures established by these rules.
- (2) Any student charged with violating any of these rules is assured due process through the following procedures established by the College.
 - (a) Any charge of student misconduct must be made in writing to the Vice President for Student Affairs.
 - (b) If, in the opinion of the Vice President for Student Affairs, the case merits further action, the accused student shall be provided a hearing before the Disciplinary Committee. The accused student shall be notified of the date and location of the hearing and the nature of the charges at least 3 days prior to the actual hearing. The following procedures shall be observed:
 1. Within three (3) class days of the original charge(s), the accused student shall be advised in writing of the charge(s) against him/her and the name of the person(s) bringing the charge(s).
 2. The accused student shall be advised of the time and place of the Disciplinary Committee hearing.
 3. The accused student shall be advised of the following rights:
 - (i) The right to present his/her case.
 - (ii) The right to be accompanied by an adviser. The accused student may obtain legal counsel to appear with him/her, for the purpose of counsel only. The legal counsel or other adviser may consult with and counsel the accused student, but may not present the accused student's case or cross-examine witnesses.
 - (iii) The right to call witnesses in his/her behalf.

(Rule 0240-3-11-.05, continued)

- (iv) The right to confront witnesses against him/her.
- (c) In any hearing before the Disciplinary Committee, the charging party must appear before the Committee and testify regarding the charge(s).
- (d) The student has the right to appeal the decision of the Disciplinary Committee to the President of the College, whose decision shall be final subject to any appeal provided by policies of the Board of Regents.
- (3) The Disciplinary Committee shall be composed of one (1) faculty member elected from the Faculty Council, one (1) faculty member elected by the Administrative Council, one (1) faculty member selected by the accused student, one (1) student selected by the accused student, three (3) students elected by the Student Government Association, and one (1) administrator elected by the Administrative Council.
- (4) Cases of alleged sexual assault. In cases involving alleged sexual assault, both the accuser and the accused shall be informed of the following:
 - (a) Both the accuser and the accused are entitled to the same opportunity to have others present during a disciplinary proceeding; and
 - (b) Both the accuser and the accused shall be informed of the outcome of any disciplinary proceeding involving allegations of sexual assault.

Authority: T.C.A. §49-8-203. **Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. Amendment filed May 18, 1994; effective September 28, 1994. Amendment filed November 26, 1997; effective March 30, 1998. Amendment filed January 11, 2002; effective May 31, 2002.

0240-3-11-.06 TRAFFIC AND PARKING REGULATIONS.

- (1) Parking.
 - (a) Faculty, staff, and students should park only in those parking spaces, or areas, appropriately designated by signs and/or colored markers.
 - 1. Green Markers and Faculty Signs indicate spaces, or areas, reserved for faculty and staff. Faculty and staff should park only in those spaces, or areas. No student parking.
 - 2. Red Markers and Disabled Signs indicate spaces, or areas, reserved for handicapped faculty, staff, and students with disabilities who display on their vehicles a special red decal. No other parking permitted.
 - 3. Visitor Parking indicates no faculty, staff, or student parking.
 - 4. Loading Zones, on sidewalks or streets, on lawn, within 15 feet of fire hydrant, indicates no parking.
 - (b) Night Faculty, Staff and Students - Between the hours of 4:30 p.m. and 10:00 p.m., the faculty spaces in Lot D and Lot F will be open for student parking as well as Lot A. This however does not allow student parking in other faculty spaces or lots, visitor, handicapped, or restricted spaces or areas.

(Rule 0240-3-11-.06, continued)

- (c) During special activities such as graduation, ball games, etc., the above rules and regulations will be suspended.
 - (d) Vehicles are not to be parked at any time in the loading areas, on sidewalks, or lawns, within 15 feet of a fire hydrant, or other places with signs indicating parking restrictions.
 - (e) Illegally parked vehicles will be ticketed and a fine will be assessed.
- (2) Driving Regulations.
- (a) The speed limit on all campus streets is 15 m.p.h.
 - (b) Passing on campus streets is prohibited.
 - (c) All traffic signs must be obeyed.
 - (d) Motorist must yield right-of-way to pedestrians.
- All accidents involving injury to persons, equipment, cars, etc., must be reported immediately to the Director of Physical Plant, located in the Maintenance Building.
- (3) Enforcement and Payment of Tickets.
- (a) Citations issued for violations must be paid promptly and within the semester during which the citation was issued. Fines may be paid in the Business Office. The violator's copy of the citation must be presented at the time of payment.
 - (b) Traffic citations which have not been paid by the last day of the final exam week each semester prohibit the release of semester grade reports, release of transcripts, registration for subsequent terms, and in those cases where the student has registered early, the student may be administratively withdrawn from the College.
 - (c) Faculty and staff receiving citations will comply with the provisions of the institutional policy relative to the collection of outstanding obligations.
- (4) Appeals.
- (a) If a student believes that he/she has a justifiable reason that may affect the traffic citation, he/she may appeal to the Vice President for Student Affairs.
 - (b) A faculty or staff member may likewise appeal to the appropriate administrator.
 - (c) All student appeals must be in writing and received within five (5) working days of issuance of the citation.
- (5) Citations - Citations will be issued or penalties invoked for the following offenses:
- (a) Parked on grass \$10.00
 - (b) Parked in faculty area \$10.00
 - (c) Parked in disabled area \$100.00 and tow away

(Rule 0240-3-11-.06, continued)

- (d) Parked within fifteen (15) feet of fire hydrant \$10.00
- (e) Parked in loading zone \$10.00 and tow away
- (f) Double parked \$10.00
- (g) Parked in "Reserved Faculty/Staff" area \$10.00 and tow away
- (h) No parking decal (registration) \$10.00
- (i) Speeding \$10.00
- (j) Reverse parking \$10.00
- (6) Cars which have been towed away may be retrieved by contacting the Director of Physical Plant, located in the Maintenance Building, and paying the cost of the tow, (between the hours of 8:00 a.m. and 4:30 p.m.).
- (7) All accidents involving injury to persons, equipment, cars, etc., must be reported to the Director of Physical Plant (after 4:30 p.m. and until 9:30 p.m. contact the Night Office of Extension Services, C-104).

Authority: T.C.A. §49-8-203. **Administrative History:** New rule filed August 28, 1984; effective November 13, 1984. Amendment filed November 3, 1989; effective February 28, 1990. Amendment filed June 11, 1990; effective September 26, 1990. Amendment filed April 23, 1993; effective July 28, 1993. Amendment filed May 18, 1994; effective September 28, 1994. Amendment filed August 8, 1995; effective September 29, 1995.

0240-3-11-.07 REGISTRATION OF MOTOR VEHICLES.

- (1) All motor vehicles used on campus must meet the registration requirements of the State of Tennessee.
- (2) All motor vehicles operated on campus by faculty, staff, and students must be registered with the College.
- (3) The registration period extends from September 1 through August 31 of the following year.
- (4) A registration decal is issued which must be clearly displayed on the rear bumper of the registered vehicle.
- (5) Each student, faculty, or staff member intending to drive one or more vehicles on campus, must register each vehicle. Failure to comply with this regulation may result in disciplinary action.
- (6) Registration information for each vehicle must include the following:
 - (a) Name of registrant; and
 - (b) License number.
- (7) Fees.
 - (a) Each student registering on the JSCC campus for one or more classes will be assessed a per semester campus access fee for use of college streets and/or parking lots.

(Rule 0240-3-11-.07, continued)

- (b) Regular faculty and full-time staff members may either pay an annual access fee for parking privileges in restricted parking lots; or
 - (c) An annual access fee for a reserved parking space.
 - (d) Part-time faculty and staff will be assessed a per semester access fee for parking privileges in restricted parking lots.
- (8) Registration of all motor vehicles should be accomplished during the first week of the initial semester of employment or enrollment.
 - (9) Parking decals may be obtained during the regular semester-registration period, or in the Business office, Administration building, Room 28, between 8:00 a.m. and 4:30 p.m., and in the night office of the Continuing Education Division, Classroom Building, Room 103-A, between 4:30 and 9:00 p.m.
 - (10) Special red decals for persons with disabilities must be obtained in the Business Office, Administration Building, during regular office hours.
 - (11) No vehicle is considered officially registered until a proper JSCC parking decal, issued at the time of the vehicle registration, is displayed on the left rear bumper.
 - (12) Faculty, staff or students who trade cars may secure a replacement decal upon presentation of the number from the original decal, and should destroy the original decal. All violations against an old or previously issued decal will be charged to the person to whom it was originally issued.
 - (13) Temporary and visitor parking permits may be obtained from the Business Office, Administration Building; Dean of Student Affairs Office, Student Center, Room 22-A; the Continuing Education Office; or the security officer on duty. Temporary permits should be secured if it becomes necessary to drive a non-registered vehicle during emergency situations.
 - (14) Changes in license plates must be reported to the Office of Student Personnel Services within five (5) days of such changes. Failure to do so may be grounds for revocation of parking privileges.
 - (15) Illegible and/or damaged decals must be replaced. Failure to replace a damaged decal within five (5) days of notification will result in a ticket. Damaged decals will be replaced at no cost to the student when the scrapping from the old decal are turned into the Business Office.
 - (16) The acceptance of a parking decal by any person shall constitute the acceptance of the responsibility to ensure that no vehicle owned or registered in his or her name is parked or operated in violation of these regulations.

Authority: T.C.A. §49-8-203. **Administrative History:** New rule filed August 28, 1984; effective November 13, 1984. Amendment filed November 3, 1989; effective February 28, 1990.